

Remarks

A. Claims In The Case

Claims 41-45, 47, 48, 50-53, 55-60, 62-65, 67-75 are pending in the case. Claims 46, 49, 54, 61, and 66 have been cancelled. Claims 71-75 are new. Claims 41-43, 47, 51, 59, and 63 have been amended.

B. The Claims Are Not Obvious Over Johnson et al. in view of McKee et al. Pursuant To 35 U.S.C. § 103(a)

The Examiner has rejected claims 41-70 as being unpatentable over U. S. Patent 4,987,538 to Johnson et al. (hereinafter "Johnson") in view of U.S. Patent No. 6,272,482 to McKee et al. (hereinafter "McKee"). Applicant respectfully disagrees with these rejections.

In order to reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

Amended claim 41 describes a combination of features including:

a database comprising a rules data table, a template table, and a text table, wherein the rules data table comprises a plurality of business rule data elements; wherein the text table stores elements of text that may be used to generate the one or more business rules;

a translator program configured to read two or more of the business rule data elements from the database using information from the template table, and to combine at least two of the business rule data elements to form one or more business rules, wherein the one or more business rules are classified into a plurality of rule styles, wherein a syntax for a rule premise and a syntax for a resulting rule action for a given rule style are common to business rules within the rule style; and

a rules engine configured to assess a value of one or more bodily injury insurance claims as a function of at least one of the formed business rules.

Amended claims 47 and 59 describe combinations of features including:

providing a plurality of business rule data elements in a rules data table in a memory of the computer system;

reading data from the rules data table using information from a template table;

reading elements of text from a text table;

combining two or more of the business rule data elements to form one or more business rules for processing one or more bodily injury insurance claims, wherein the one or more business rules are classified into a plurality of rule styles, wherein a syntax for a rule premise and a syntax for a resulting rule action for a given rule style are common to business rules within the rule style; and

providing at least one of the formed business rules to a rules engine, wherein the formed business rule is executable by the rules engine to process at least one of the insurance claims.

Support for the amendments to claims 41, 47, and 59 may be found in Applicant's specification at least on page 14, line 14 to page 15, line 26 and FIGS. 3a-3c. The cited art does not appear to teach or suggest at least the above-quoted features of claims 41, 47, and 59, in combination with the other features of the claims.

Applicant submits that, for at least the reasons discussed above, amended claims 41, 47, and 59 and the claims depending thereon are patentable over the cited art. Applicant therefore

respectfully requests removal of the 35 U.S.C. §103(a) rejections of these claims.

C. New Claims

New claim 71 describes a combination of features including: “wherein the template table comprises a rule name and a rule style for at least two of the business rules.” Support for the claim may be found in the specification at least on page 14, line 24 to page 15, line 2. The cited art does not appear to teach or suggest at least the above-quoted features of claim 71, in combination with the other features of the claim.

New claim 72 describes a combination of features including: “wherein at least two of the plurality of rule styles has an entry in the template table.” Support for the claim may be found in the specification at least on page 14, line 24 to page 15, line 2. The cited art does not appear to teach or suggest at least the above-quoted features of claim 72, in combination with the other features of the claim.

New claim 73 describes a combination of features including: “wherein the rules data table comprises a rule style column, wherein an entry in the rule style column is used as a key to find a matching record in the template table.” Support for the claim may be found in the specification at least on page 15, lines 22-26 and FIG. 3a. The cited art does not appear to teach or suggest at least the above-quoted features of claim 73, in combination with the other features of the claim.

New claim 74 describes a combination of features including: “wherein a syntax used to construct the one or more business rules is specified in the template table for at least two of the plurality of rule styles.” Support for the claim may be found in the specification at least on page 15, lines 4-13. The cited art does not appear to teach or suggest at least the above-quoted features of claim 74, in combination with the other features of the claim.

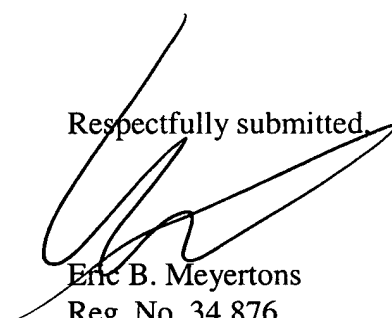
New claim 75 describes a combination of features including: “wherein the template table comprises a line text identifier for text in the text table.” Support for the claim may be found in the specification at least on page 15, lines 10-13. The cited art does not appear to teach or suggest at least the above-quoted features of claim 75, in combination with the other features of the claim.

D. Further Remarks

Based on the above, Applicant submits that all claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. It is believed that no fees are due in association with the filing of this document. If any fees are inadvertently omitted or if any additional fees are required, please charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5053-28000/EBM.

Respectfully submitted,


Eric B. Meyertons
Reg. No. 34,876
Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
P.O. BOX 398
AUSTIN, TX 78767-0398
(512) 853-8800 (voice)
(512) 853-8801 (facsimile)

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